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ORDINANCE NO. 2014-05

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**AN ORDINANCE OF THE VILLAGE
COMMISSION OF THE VILLAGE OF BISCAYNE
PARK, FLORIDA AMENDING CHAPTER 10, OF
THE LAND DEVELOPMENT CODE ENTITLED
“DESIGN AND IMPROVEMENT STANDARDS”,
RELATIVE TO ROOFING; PROVIDING FOR
CONFLICTS; PROVIDING FOR CODIFICATION;
PROVIDING FOR SEVERABILITY; PROVIDING
FOR AN EFFECTIVE DATE**

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WHEREAS, Chapter 10 of the Village Land Development Code provides design and improvement standards for property located in the Village; and

WHEREAS, the Code Review Board has reviewed the Code relative to roofing materials and has recommended including metal roofing within the Village’s Code; and

WHEREAS, the Village Commission deems it to be in the best interests of the Village to revise the Code to permit metal roofing material on buildings within the Village;

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COMMISSION OF
THE VILLAGE OF BISCAYNE PARK, FLORIDA:**

Section 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Section 10.4 of the Land Development Code of the Village of Biscayne Park, entitled, “Building construction”, is hereby amended to read as follows:

10.4. - Building construction.

10.4.1 *Building code.* The ~~South~~ Florida Building Code, and as same may be amended from time to time, as published by the Board of County Commissioners, Miami-Dade County, Florida, is hereby adopted as and for the building code of the village. A copy of the code is on file in the village clerk’s office.

10.4.2 *Applicable codes.* All construction in the public rights-of-way shall conform to the uniform standards established by the official Public Works Manual of ~~Metro~~ Miami-Dade County.

1 10.4.3 *Minimum construction dimensions.* The establishment of minimum construction
2 dimensions by this code shall not be deemed as permitting any deviation from the requirements
3 of the Florida Building Code building code. All buildings, including accessory buildings
4 regardless of size and cost must comply with the provisions of the Florida Building Code
5 ~~building code~~ and must be so constructed as to be safe from all storm hazard.

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7 10.4.4 *Material used in construction.* No material shall be used in the construction of
8 buildings except stone, concrete blocks, tile, brick or brick veneer, frame, steel or any standard
9 fabricated material. All buildings shall be constructed on concrete or tile foundations under all
10 portions of main buildings.

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12 10.4.6 10.4.5 Tile or metal required on pitched roof. Any building constructed in the
13 village that has a pitched roof, shall have a roof finished with clay or cement tile or metal.

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15 ~~10.4.5~~ 10.4.6 Roof material.

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17 (a) Roof material shall be of tile or metal for roofs with ~~an incline~~ a pitch of two and
18 one-half (2 ½) inches per foot or more. Roofing materials shall be of engineered built-up tar and
19 gravel roofing material for roofs with ~~an incline~~ a pitch less than two and one-half (2 ½) inches
20 per foot. ~~unless the roof structure will not support the weight in which case wood or composition~~
21 ~~shingles may be used~~

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23 ~~(b) No plain felt mopped on roof shall be permitted on any pitched roof.~~

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25 ~~(e)(b)~~ All dwellings erected shall comply with the Florida Building Code. ~~be~~
26 ~~consistently stormproof, according to the latest approved code and building methods.~~

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28 ~~(d)(c)~~ No three-tab shingles shall be permitted.

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30 (d) Wood shingles shall not be permitted except at the historic Village Hall log cabin.

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32 (e) Metal with a factory finish that has received a "notice of acceptance" from
33 Miami-Dade County and that is labeled "Miami-Dade County Product Control Approved" may
34 be used as roofing material for buildings subject to review and approval of the planning board in
35 accordance with the following:

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37 (1) The subject building is constructed in the high modern, post-war modern, ranch
38 or Key West architectural style, or a variation thereof.

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40 (2) The type of roof shall be limited to standing seam metal and shall specifically
41 exclude metal roofing intended to replicate barrel tile or Spanish-S tile.

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43 (3) The color of the roof shall be limited to colors silver, grey, brown, copper and
44 white and shall not be bright or highly reflective and must be harmonious with the
45 exterior color of existing buildings on the plot and the neighborhood in general.
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(4) The details, color and manner of installation shall be consistent with the architectural design, style and composition of the residential or commercial structure.

(5) Roofs with a pitch less than two and one-half (2 ½) inches per foot will be prohibited from installing metal roofing material.

(6) Roofs with a pitch above three (3) inches per foot and up to four (4) inches per foot shall have an overhang of no less than eighteen (18) inches around the entire perimeter and a fascia board with a nominal dimension no less than six (6) inches.

(7) Roofs with a pitch above four (4) inches per foot shall have an overhang of no less than twelve (12) inches around the entire perimeter and a fascia board with a nominal dimension no less than six (6) inches.

(f) Asphalt shingles or metal may be used in reroofing to replace an existing asphalt shingle roof if an engineer's evaluation is provided to the village certifying that the roof is not structurally adequate to utilize tile roofing materials.

(g) No variances from any of these provisions shall be granted.

10.4.7 *Roof repair or reroofing requirement and exception.* All buildings in the village which have roofs which are concrete tile, ~~or~~ clay tile or metal ~~roofs~~ must be repaired or reroofed only with clay tile, ~~or~~ concrete tile or metal. Repair of tile or metal roofs shall be of a consistent style and color with the existing roof. Shingles in reroofing shall be permitted only on existing roofs that had shingles on the effective date of this code. In all cases work shall conform with all requirements of the Florida Building Code adopted herein for tile roofs.

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Section 3. **Conflicts.** That all Ordinances or parts of Ordinances, Resolutions or parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4. **Severability.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

